

REMARKS

Claims 51-61 were originally presented in the application. Claims 51, 52 and 54-60 were rejected and claims 53 and 61 were objected to. By this amendment, claims 62-84 were added.

Claims 51, 52 and 54-60 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,822,268 ("Coleman"). Applicants respectfully traverse the rejection.

To maintain an anticipation rejection, the Examiner must demonstrate that Coleman discloses each and every element as set forth in claims 51, 52 and 54-60. Applicants respectfully submit that Coleman does not disclose each and every element as set forth in at least the independent claim (i.e., claim 51) of the set of rejected claims. For example, Coleman does not disclose that "the at least one of the plurality of access devices selectively stores the delivered data for subsequent delivery of the delivered data to the roaming terminal device." See lines 9-11 of claim 51. In the office action, without discussion, the Examiner cites FIG. 1 and col. 4, lines 3-14 as allegedly containing each and every element as disclosed in lines 9-11 of claim 51. As a courtesy to the Examiner, Applicants reproduce col. 4, lines 3-14 of Coleman below:

Referring again to FIG. 1, the IPX layer uses the ODI router as a normal workstation driver. The virtual router sends packets in the same manner as if they had been received by a router and then forwarded on to the other subnet. When the connection quality falls below an acceptable level, the virtual router searches for alternate access points. If a new access point is found, the router switches access point. In order to limit the amount of searching for new access points preceeding the switching of access points, a list may be provided to the driver during initialization of access points that connect to the same server or set of servers.

The above-cited paragraph and figure appear to merely describe a common roaming router. Accordingly, it does not disclose, teach or suggest at least the above-recited elements of claim 51. In addition, the Examiner has failed to raise even one argument in the Office Action supporting an anticipation rejection with respect to claims 52 and 54-60. It is therefore respectfully requested that the rejection under 35 U.S.C. § 102(e) be withdrawn with respect to claim 51 and its dependent claims 52 and 54-60.

Claims 53 and 61 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the elements of the base claim and any intervening claims. However, for at least the above-recited reasons, Applicants respectfully submit that claims 53 and 61 are in condition for allowance.

Claims 62-84 have been added. Applicants respectfully submit that claims 62-84 recite useful, new and non-obvious subject matter. In addition, Applicants respectfully submit that no new subject matter has been added. Support for the newly added claims may be found, for example, in the claims as originally filed; pages 162-202 of the specification; and FIGS. 45-50.

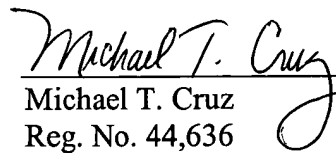
In view of at least the foregoing, it is respectfully submitted that the pending claims 51-84 are in condition for allowable. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the telephone number listed below.

Pursuant to M.P.E.P. § 609, Applicants respectfully request that a copy of the information disclosure statement submitted on September 16, 2002, be properly initialed by the Examiner and returned to Applicants in the next official paper as an acknowledgement of the receipt of the information disclosure statement and as an indication as to which of the listed documents were considered by the Examiner.

Please charge any required fees not paid herewith or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

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Respectfully submitted,


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